

RECEIVED
CENTRAL FAX CENTER



DUANE MORRIS LLP
P.O.BOX 5203
PRINCETON, NJ 08543-5203
PHONE: 609.631-2446
FAX: 609.631-2401

AUG 04 2006

A Delaware limited liability partnership
FRANK A. LUCHAK, RESIDENT PARTNER

FACSIMILE TRANSMITTAL SHEET

FIRM/COMPANY: USPTO

FACSIMILE NUMBER: 571-273-8300

**CONFIRMATION
TELEPHONE:**

FROM: PAUL A. SCHWARZ, ESQ.

DIRECT DIAL: 609.631.2446

DATE: August 4, 2006

FILE : ATTORNEY DOCKET NO.: N0747-37

TOTAL # OF PAGES:
(INCLUDING COVERSHEET)

14

Message: Please see attached.

NOTE: Original will NOT follow.

CONFIDENTIALITY NOTICE

THIS FACSIMILE TRANSMISSION IS PRIVILEGED AND CONFIDENTIAL AND IS INTENDED ONLY FOR THE REVIEW OF THE PARTY TO WHOM IT IS ADDRESSED. IF YOU HAVE RECEIVED THIS TRANSMISSION IN ERROR, PLEASE IMMEDIATELY TELEPHONE THE SENDER ABOVE TO ARRANGE FOR ITS RETURN, AND IT SHALL NOT CONSTITUTE WAIVER OF THE ATTORNEY-CLIENT PRIVILEGE.

If there is a problem with this transmission, please call us as soon as possible at 609.919.4400.
DM2784973.1

Attorney Docket No. Implex-18/ZM0718

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Patent Application of: : Group Art Unit: 3732
Robie, et al. :
 Serial No.: 10/015,365 : Examiner: Stokes, Candice C.
 Filing Date: December 13, 2001 : Atty Dkt.: Implex-18/ZM0718
 For: **Instrument and System for** : Date: August 4, 2006
Preparing the Disc Space
Between Two Vertebral Bodies :
 :
 :

RECEIVED
 CENTRAL FAX CENTER
 AUG 04 2006

CERTIFICATE OF FACSIMILE TRANSMISSION, 37 C.F.R. §1.8(a) I certify that this correspondence and the enclosures mentioned therein are being transmitted via facsimile to telephone number (703) 273-6300, addressed to the Commissioner by Facsimile, P.O. Box 1450, Alexandria, VA 22313-1450  Melody Dye <u>August 4, 2006</u> Date
--

Mail Stop AF
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, Va. 22313-1450

AFTER FINAL AMENDMENT AND RESPONSE

Dear Sir:

This paper is responsive to the Office Action dated May 4, 2006. Kindly enter the following amendments:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 11 of this paper.

DM2A784479.1